

ENTERED

April 13, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

VICTORIANO CRUZ ALVARADO,

Plaintiff,

v.

JUDGE GARZA,

Defendant.

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Civil Action No. 6:22-CV-00018

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the July 27, 2022, Memorandum and Recommendation (“M&R”) prepared by Magistrate Judge Jason Libby. (Dkt. No. 6). Magistrate Judge Libby made findings and conclusions and recommended that Plaintiff’s complaint be dismissed for want of prosecution. (*Id.*).

The Parties were provided proper notice and the opportunity to object to the M&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

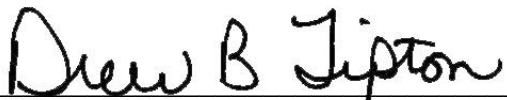
Accordingly, the Court accepts the M&R and adopts it as the opinion of the Court.

It is therefore ordered that:

- (1) Magistrate Judge Libby’s M&R, (Dkt. No. 6) is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff’s Complaint, (Dkt. No. 1), is **DISMISSED WITHOUT PREJUDICE**.

It is SO ORDERED.

Signed on April 12, 2023.


DREW B. TIPTON
UNITED STATES DISTRICT JUDGE